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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH**

THE SCO GROUP, INC.

Plaintiff/Counterclaim-Defendant,

v.

INTERNATIONAL BUSINESS
MACHINES CORPORATION,

Defendant/Counterclaim-Plaintiff.

**[PROPOSED] ORDER GRANTING EX
PARTE MOTION FOR LEAVE
TO FILE SCO'S OVER LENGTH
MEMORANDUM IN SUPPORT OF
ITS MOTION FOR
RECONSIDERATION BY THE
MAGISTRATE COURT OF THE
ORDER DENYING SCO'S MOTION
FOR RELIEF FROM IBM'S
SPOILATION OF EVIDENCE**

Case No. 2:03CV0294DAK

Honorable Dale A. Kimball
Magistrate Judge Brooke C. Wells

This matter comes before the Court on the Ex Parte Motion of Plaintiff/Counterclaim-Defendant The SCO Group (“SCO”) for Leave to File their over length Memorandum in Support of its Motion for Reconsideration by the Magistrate Court of the Order Denying SCO’s Motion for Relief for IBM’s Spoliation of Evidence (the “Reconsideration Memorandum”) The Court, having considered the matter, hereby determines that good cause and exceptional circumstances exist and hereby ORDERS that SCO be granted leave to file its over-length Reconsideration Memorandum consisting of 23 pages, exclusive of face sheet, table of contents and authorities, appendixes and exhibits.

DATED: _____, 2007

BY THE COURT:

Honorable Dale A. Kimball

CERTIFICATE OF SERVICE

Plaintiff/Counterclaim-Defendant, The SCO Group, Inc., hereby certifies that a true and correct copy of the foregoing [PROPOSED] ORDER GRANTING EX PARTE MOTION FOR LEAVE TO FILE SCO'S OVER LENGTH MEMORANDUM IN SUPPORT OF ITS MOTION FOR RECONSIDERATION BY THE MAGISTRATE COURT OF THE ORDER DENYING SCO'S MOTION FOR RELIEF FROM IBM'S SPOILATION OF EVIDENCE was served on Defendant/Counterclaim-Plaintiff, International Business Machines Corporation, on this 16th Day of March, 2007, via CM/ECF and electronic mail (by agreement of the parties) to the following:

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By: _____ /s/Mark F. James